Remarks

The present response is to the Office Action mailed in the above referenced case on February 08, 2007. Claims 32-41 are standing for examination. The Examiner rejects claims 32-41 under 35 U.S.C. 103(a) as being unpatentable over Freishtat et al. (US 6,317,783) hereinafter Freishtat, in view of Dent et al. (US 6,128,603) hereinafter Dent and further in view of "Making The Smart Investment In Personal Finance Software, Working At Home" (hereinafter Working at Home).

Applicant has carefully studied the prior art references provided by the Examiner, including the newly presented reference of Working at Home and the Examiner's rejections and statements.

In response, applicant herein amends claims 32 and 37 to particularly recite a plurality of indications of financial accounts through the GUI, wherein at least one bill is paid by dragging and dropping an indication of at least one financial accounts onto an indication of at least one bill to pay the bill.

The Examiner states; "Regarding claims 32 and 37, Freishtat fails to teach at least one indication representing the user's financial account, and at least one indication representing at least one bill associated with a billing account on which a balance is owed and instructing the first enterprise to pay the bill using funds from the financial account by dragging the indication of the account to the indication of the bill.

Dent teaches a consumer based system and method for managing and paying electronic billing statements in which there exists at least one indication representing a user's financial account (column 3, lines 38-44) and at least one indication representing at least one bill associated with a billing account for which a monetary balance is owed by the user (column 7, line 56 thru column 8, line 2). Dent further teaches instructing bill

payment by dragging the indication of the bill to the account (column 8, lines 36 thru column 9, line 20 and Figure 7). It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Freishtat to include the drag and drop teachings of Dent since both Freishtat and Dent teach account management and it specifies a method for an active interaction method of bill payment.

Freishtat and Dent fail to teach dragging the account to the bill. Working At Home teaches personal finance software that helps to manage finances by keeping track of bank accounts, credit card accounts, expenses, taxes and income (page 2, top). One software discussed, Kiplinger's CA-Simply Money, contains drag and drop buttons that allow a user to drag their checking account button and drop it on the electric company button to pay the electric bill (page 7, middle). This software therefore teaches dragging the account to the bill. It would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Freishtat in view of Dent to include the teachings of Working At Home because it allows for the payment of bills by manipulating a graphical user-interface similar to Dent. Since only one account is required in the claim, it would be obvious to one of ordinary skill in the art that dragging the account to the bill, or the bill to the account are obvious modifications since they accomplish the same instructions for payment."

Applicant argues that Applicant's specification specifically teaches that the end user may drag-and-drop (1602) from either account A or account B (financial accounts) to the entry for Biller A. Hyperlinks associated with interface 1601 now form a message (command) 1603 to the Service to pay Biller A with money from Bank B, in this case from the Savings account (bottom of pg. 42 to top of pg. 43). In this manner the user may choose to pay the bill from a plurality of financial accounts with monetary balances. Applicant points out that the instruction resulting from applicant's drag & drop procedure takes place in the same order as the procedure, the financial acct. is instructed to pay the biller when the financial acct. is dropped on the bill to be paid.

Applicant argues that the art of Dent teaches; "The cashflow analyzer UI also provides a summary 84 of the consumer's account (in this case, the consumer's checking account), showing an account balance, any bills that the consumer has paid today, any pending payments, and the remaining available finds to pay bills. The cashflow analyzer 54 enables the consumer to examine various payment schedules for the unpaid bills. The consumer invokes a second graphical user interface window that presents a date line or calendar showing dates in bill payment cycle (col. 7, line 64 to col. 8, line 7). Dent also teaches; "After the consumer has analyzed the unpaid bills and decided on a payment schedule, **the consumer can pay specific bills as prescribed by the schedule**." (col. 10, lines 15-18). Applicant argues that thee is no instruction to the financial account to pay the billing account, as claimed.

Applicant also argues that clearly, Dent provides a completely separate window for drag & drop purposes which does not even include and indication of the financial accounts, as claimed. Dent merely adjusts the balance and available funds in the summary 84 according to dragging and dropping procedures involving dragging an indication of a bill onto a line for a specific date in the calendar. There is no teaching or suggestion in the art of Dent that the date line or calendar are indications of a financial account. Applicant points out that Dent clearly teaches from the bottom of col. 7 to col. 8 that the user is viewing a statement of a financial account and the user may then open a GUI window wherein a calendar is presented and the user may drag and drop an indication of a bill onto a line in the calendar to schedule the payment for the consumer.

Applicant also argues that the art of Dent and Working at Home are desktop programs which are not capable of instructing financial accounts to pay billing accounts automatically by software, online, as claimed in applicant's invention. Therefore, there would be no motivation for one with skill in the art to incorporate their teachings to accomplish applicant's claimed invention because the programs are not capable of

instructing financial institutions as a result of drag and drop operations. Dent teaches that the user pays accounts according to schedule and Working at Home performs a printing function at the desktop as a result of a drag and drop procedure.

For the above reasons, applicant believes that the claims, as amended and argued above, are clearly and unarguably patentable over the combined art presented by the Examiner. As all of the claims have been shown to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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